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10 **AXIS REINSURANCE COMPANY**

11 UNITED STATES DISTRICT COURT  
12 CENTRAL DISTRICT OF CALIFORNIA

13 FREDERICK (RICK) GOERNER,  
14 an individual,

15 Plaintiff,

16 v.

17 **AXIS REINSURANCE CO.**, a New  
18 York corporation, formerly known as  
19 **Royal & SunAlliance Personal**  
20 **Insurance Company**, and DOES 1  
21 through 50, inclusive,

22 Defendant.

**CASE NO. 07 0166-GHW (MLGx)**

**JUDGMENT**

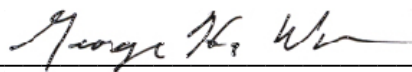
Judge: Honorable George H. Wu

23 For the reasons set forth in the Findings of Fact and Conclusions of Law  
24 ordered entered by the Court on February 23, 2009, the Court granted Axis  
25 Reinsurance Company's ("Axis") Cross-Motion for Summary Judgment on the  
26 duty to defend issue.

27 IT IS ORDERED, ADJUDGED AND DECREED that Judgment on  
28 plaintiff's complaint is entered in favor of Axis, and the entire complaint is  
dismissed with prejudice. Plaintiff shall take nothing by its complaint, and Axis is  
entitled to recover its costs pursuant to Federal Rules of Civil Procedure Rule 54(d),

1 which will be reflected in Axis' Bill of Costs to be filed and served as prescribed by  
2 Local Rule 54-3.

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4  
5 DATED: March 2, 2009



6 JUDGE GEORGE H. WU  
7 UNITED STATE DISTRICT COURT  
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